

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>AVERY MIGUEL PERRY, SR.,</b> <i>Plaintiff</i>	:	<b>CIVIL ACTION</b>
	:	
	:	
<b>v.</b>	:	<b>NO. 22-CV-4599</b>
	:	
<b>DETECTIVE O'DONNELL, et al.,</b> <i>Defendants</i>	:	
	:	

**O R D E R**

**AND NOW**, this 22<sup>nd</sup> day of November 2022, upon consideration of Plaintiff Avery Miguel Perry, Sr.'s *motion to proceed in forma pauperis* (ECF No. 1), and *pro se* Complaint (ECF Nos. 2 & 2-1) it is hereby **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. The Complaint is **DEEMED** filed.
3. For the reasons set forth in the accompanying Memorandum:
4. The Complaint is **DISMISSED**
  - a. All federal claims are **DISMISSED, with prejudice**; and
  - b. Any state claims are **DISMISSED, without prejudice**, for lack of subject matter jurisdiction.
5. The Clerk of Court is directed to **CLOSE** this case.

**BY THE COURT:**

/s/ Nitza I. Quiñones Alejandro  
**NITZA I. QUIÑONES ALEJANDRO**  
*Judge, United States District Court*